

## THE ROLE OF SOCIAL SYSTEM IN THE ADMINISTRATIVE DETENTION FOR JORDANIAN WOMEN (A FIELD STUDY ON WOMEN UNDER ADMINISTRATIVE DETENTION IN JORDANIAN PRISONS)

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### ABSTRACT

*The study is aimed to identify the role of social system in the administrative detention for Jordanian women – a field study on women who are detained administratively at the Women's Reform and Rehabilitation Center. The study population consists of the entire study population, which includes (50) administratively detained women, who have completed the period of the judicial ruling and who have not been issued any judicial judgment, in addition to the administrative rulers in Jordan. The descriptive approach was used for the purpose of the study and a scale was built besides a corresponding questionnaire, and data collection was made. The results of the study showed that ethical crimes and begging were the most common crimes of administratively detained women from the administrative rulers' point of view. The customs, administrative system and traditions play a role in the judgment to administratively detain women. The results showed a sense of injustice in case of administrative detention. In addition to their sense of administrative detention limits, the opportunity for communication and social bonding including the opportunity to start a family and choose a spouse.*

**KEYWORDS:** *Social and Cultural System, Administrative Detention, Reform & Rehabilitation Center*

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### INTRODUCTION

Modern societies are experiencing many changes in all fields, in the societal systems and institutions and among its young population. These changes have had a negative and positive impact on individual's behavior and in talking about the negative side of these changes and their significant role in causing a loss of values.

Some sociologists justify the negative change in values in some societies as a result of globalization and its repercussions on individuals and communities within a society, while society consists of three basic aspects: social construction, culture and personal construction, all of which are interrelated, where the study of these components is based on sub-concepts.

Hence, the understanding and analysis of social construction will be through the complex concept of role and status or through relationships between social units within the levels of social relations. (Abdullah, 2016).

The meaning of social construction includes the stereotypical relationships that have been institutionalized between its components of roles and groups, as the concept of role is linked to the norms and values that shape the rules of conduct and relationships as well as the foundations and hierarchies in social construction, and the processes of interaction and communication create relationships and groups. (Hamid, 2011).

The social system contributes to the formation of personality since the individual is influenced by what is social and cultural as part of society, in addition to the human's interpretation of things and indicators, which leads to create a common meaning for these things and indicators as well as a group of members' growth and interaction in one culture leads to the construction of a common base for a collectively accepted personal style and a sense of common identity within the group. **(Baqoura, 2009).**

Women represent an important part of any society. Throughout the ages, women have played important roles and have been active in the development of laws and policies and in the conduct of political life.

The complexity of some aspects of modern social life has reflected negatively on many social phenomena, where socialization played an important role in determining the attitudes of the individual in general and women in particular, in the process of division of roles between both genders and the definition of spaces (both internal and external). **(Pearson, 2012)**

Social institutions such as family, schools, friends, media, religious platforms, etc. carry out the process of socializing and social control on the basis of stereotyping and educating women on what is permissible and what is forbidden, what is acceptable and what is unacceptable and how to abide by these matters, and in case of any violation of these rules by any women even by mistake, social institutions punish these women directly by ignoring and excluding her from the community completely. **(Al Jawhari, 2011)**

As a result of misplaced masculinity, and the integration of women in the fields of work alongside men exposed them to many social problems, and therefore, some of these women did not abide by the social norms of customs and traditions and values of their communities and their families, which generated serious social pressures in these women, such as committing crimes in order to obtain rights or a sense of freedom from the male power practices on these women.

Therefore, when women engage in such violations of what is agreed upon within the community system, this necessarily means the exclusion and abandonment of these women, either through killing or issuing death threat warnings.

In search of safety, these women go to the official and government bodies, where they imprison these women in prisons under the name of "women under administrative detention to protect these women and to save their lives." **(Gharib, 2012).**

In the name of administrative detention, there is a clear violation of international conventions and treaties ratified by Jordan, such as the Universal Declaration of Human Rights and other international treaties guaranteeing personal freedom and the right to live freely for all.

The administrative detention procedure is based on the Crime Prevention Law No. 7 of 1954, which gives the governor the power of administrative detention within article 3 of the law, which allows for the detention of anyone whose free existence is a threat to the society.

Administrative detention applies to women in a manner different from what is stipulated by the law, since the governor's decision to arrest women is based on a risk to the woman herself, contrary to what the law stipulates: that the person who poses a threat and risk to the security of society is the one who is administratively arrested and not the one who is at risk.

Women under "administrative detention" in the women's rehabilitation and rehabilitation centers in Jordan constitute 69% of the percentage of women imprisoned in these centers. **(The National Center for Human Rights, 2016).**

## **Research Problem**

The decision of the administrative detention for women is in the powers of the governor and its perception and appreciation of the issue of each women's case in accordance with the social controls, which are based on masculinity culture and represented in the system of customs and traditions and some discriminatory practices against women.

A number of exploratory visits was conducted by the researcher at the Center for Reform and Rehabilitation of Women and interviewed a number of administrative detainees, who had completed the term of the judicial sentence, those who were sentenced to administrative detention, those who did not commit anything illegal, but were imprisoned for socially unacceptable practices as administrative detainees, for the purpose of protecting these women and saving their lives.

This paper examines the social aspect of the phenomenon of administrative detention of women and the societal consequences imposed on women in the name of administrative detention. Since through this detention, a lack of communication will occur with the outside world and also specifically with the woman's family and also since this woman is a victim of a society that considers her guilty because she was under administrative detention, in addition to depriving her from leading her life. The administrative detention is not limited to a certain period, but it is linked to conditions related to a financial guarantee and pledge from the guardian of this woman, who often prefers, within a community culture, to keep this woman at the center of reform and rehabilitation, rather than take any action to release her. So, these kinds of women will be waiting for an uncertain future, in addition to being deprived of the rights guaranteed by the constitution, such as the right to freedom of movement.

## **Research Importance**

This paper examines some of the social aspects of the administrative detention of women, which is often linked to non-compliance with social norms and values.

Also, the administrative detention of women is a social phenomenon that increases with time, based on general statistics issued by the women's reform and rehabilitation centers.

It is important to analyze the social aspect of the phenomenon of administrative detention of women, as it examines the reasons related to social construction and specifically the system of customs and traditions in it. Those women who are "administratively detained" belong to different social classes, in addition to the decision of administrative detention issued by governor in the community. These women were raised according to a system of socially agreed customs and traditions, some of which practiced injustice against women and perpetuated certain kind of toxic masculinity domination over women, which underlines the close link between the issue of administrative detention of women and social construction.

## **Research Justifications**

The justification of the research in the social aspects of the phenomenon of administrative detention of women and related aspects can be summarized in several points, the most important of which are:

- The increase in the number of women in administrative detention and the associated adverse effects on women.
- The society does not accept the punishment of women for violating any act by official institutions alone, but also punish women based on the community culture in their non-formal institutions represented in the system of

customs and traditions (women are subject to official and social punishment).

- Discrimination against women is practiced in the case of administrative detention of women, in contravention to the provisions of the Jordanian Constitution and the conventions ratified by Jordan in relation to human rights in general and against discrimination against women in all its forms in particular.
- The scarcity of studies that examine the issue of administrative detention of women only to address the legal aspect of this issue while ignoring the social aspects of it.
- Working to provide academic research for this kind of phenomena can contribute to raising awareness on this issue and contribute to finding equitable and radical solutions for these women "administrative detainees".
- The possibility of this type of research to support women in the face of social stigma by raising awareness as to what is applied in the administrative detention decisions against women does not allow them to be judged as criminals, but as victims of a social system, community culture, toxic masculinity domination and the resultant prevailing mentality over women.

### **Research Objectives**

This research aims to:

- Identify the demographic characteristics of women administratively detained.
- Identify the most common cases in which women are administratively detained.
- Identify the role of the system of customs and traditions in the decision of administrative detention of women.
- Identify the social dimensions from the point of view of "administrative detainees and governors" for the issue of administrative detention of women.

### **Research Questions**

This research attempts to answer the following questions:

- What are the women's demographic characteristics administratively detained in the research sample?
- What are the most common cases for which women are administratively detained?
- What is the role of the customs and traditions system in judging women by administrative detention?
- What are the social dimensions from the administrative detainees' point of view and governors over the issue of women's administrative detention?

## **RESEARCH METHODOLOGY**

This research is a mixed qualitative ethnographic research, which depends on personal interview and many varied responses thereof, which deals with the social system's role in women's administrative detention -a field research on Jordanian women, who are administratively detained in women's reform and rehabilitation centers.

This research was carried out in June 2019. The following information will describe the research sample, the selection method and the variables of the research, its tools, credibility and reliability, in addition to showing the procedures that were followed to carry out this research and obtain the necessary data, as well as the statistical processing used in the analysis of this data.

## **Research Approach**

This research is based on the use of descriptive approach. It has been used to suit the purposes of the research related to “the role of social system in the administrative detention of women”.

## **Research Sample**

The research sample was selected to represent the whole research community, which includes (50) administrative detainees who have completed the term of the judicial verdict and those who have not been sentenced to any judicial verdict. The 50 questionnaires were distributed to them in their places – in the reform and rehabilitation centers of women – under the researcher’s supervision.

**Research Tools:** The research was based on two tools:

**The First Tool:** the questionnaire tool to measure the role of social pattern in the administrative detention of women: This questionnaire consists of two axes:

The first axis, which includes data related to the administrative detention of women and contains: the reason for the administrative detention, the period of detention and the motives behind the violation of societal acts by those women, which led to their imprisonment under administrative detention.

**The Second Axis:** the administrative detention from the point of view of the detainees, which includes (27) statements.

## **Research Tool Credibility (Content Credibility)**

After the preparation of the draft questionnaire, it was reviewed by a number of academic reviewers in the Department of Sociology, Social Work and Psychology at the University of Jordan.

In order to express their views on the content’s credibility, the adherence to the terms of the scale the degree of clarity appropriate adjustments were suggested from an academic point of view.

The researcher considered the opinions and discussions of the reviewers and their amendments as a sign of the credibility of the content of the research tool and after making the required adjustments, the balance between the contents of the scale in its questions.

## **Stability of the Search Tool**

To calculate the stability of the search tool of “administrative detention from the point of view of detainees” axis, the researcher used the Cronbach's alpha test.

The Cronbach's alpha coefficient of the scale was 0.64, which is acceptable for research purposes.

## **Scale Correction Key**

It was considered that (Likert scale) used in the research should be graded according to the rules and characteristics of this scale as follows:

Table 1				
Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
1	2	3	4	5

## The Second Tool

In-depth interview with the governors:

The in-depth interview questions were built with the governors about the role of the social system in the administrative detention of women.

The in-depth interview questionnaire includes 13 open questions about the most important problems and solutions as follows:

- Administrative Region - Governorate?
- The most common cases in which women are administratively detained?
- The approximate number of cases in which the administrative detention decisions for Jordanian women have been issued during the past two years?
- The reasons that are usually used in issuing the decision of the administrative detention of women?
- The period specified in the administrative detention warrant?
- Reasons for extension and renewal of administrative detention of Jordanian women?
- How to extend and renew the administrative detention decision?
- Usual time to stay under administrative detention?
- If the administrative detention procedure is to protect women from violence, killing or potential harm, who is most likely to threaten her safety?
- Is any reform effort or intervention made for reconciliation with the woman's family prior to the issuance of the administrative detention decision?
- If family intervention and mediation are practiced, what is the family's reaction and the response to the intervention?
- The main difficulties facing the administrative governor in the decision of administrative detention against Jordanian women?
- In the opinion of the administrative governor on how to eliminate the administrative detention of women?

## Research Variables

The research included several variables:

- Demographic characteristics of women in administrative detention.
- The most common cases of administrative detention of women.
- The system of customs and traditions on the basis of the ruling on the administrative detention.
- Social dimensions of administrative detention.

### **Statistical Processors Used**

Descriptive statistics methods were used to answer the research questions as follows:

- The use of the Cronbach's Alpha test to check the tool stability .
- Repetitions and percentages.
- The use of arithmetic averages and standard deviations to identify the social dimensions of administrative detention from the perspective of women detainees.

## **RESULTS**

### **Results on Question 1**

What are the demographic characteristics of women in administrative detention?

To answer the question, repetitions and percentages were extracted to identify the demographic characteristics of women in administrative detention. The results are as follows:

Characteristics of women in administrative detention according to the purpose of administrative detention

- 58% of the women were held in administrative detention for the purpose of their life's safety.
- 4% of the detainees, where the reason for their administrative detention was being absent from their house for hours, days, months, etc.).
- 34% of women are detained after the end of their sentences.
- 4% of women in administrative detention, where the cause of their administrative detention being other unspecified reasons.
- Characteristics of women in administrative detention, according to the administrative detention period:
- 54% of women in administrative detention had a period of detention (1–5 months).
- 30% of women in administrative detention had a period of detention (6 months – 1 year).
- 10% of women in administrative detention had a period of detention (1 year – 1 and a half years).
- 06% of women in administrative detention had a period of detention (more than 2 years).
- Characteristics of women in administrative detention, according to the motives that led women to violate a social act and then led to her being in prison as an administrative detainee:
- 38% of women in administrative detention were because of poverty or low economic status.
- 32% of women in administrative detention were motivated by the desire to escape with their beloved.
- 16% of women in administrative detention were because of ignorance and neglect.
- 14% of women in administrative detention were because they were subjected to violence (beatings and abuse).

### **Results on Question 2**

What are the most common cases in which women are administratively detained?

The second question was answered through the responses of women in administrative detention in women's reform and rehabilitation centers, and through the open questions of the in-depth interviews with the governors. The results were as follows:

The most common cases for which women are administratively detained in women's rehabilitation centers were, first, adultery cases (48%), second cases of begging (20%), followed by third cases of complaints (12%) by the family about the absence of these women from their home, cases of theft (8%) and then cases of rape (4%) and while the issues of escape from the house and the resistance of security men are the least common cases (2%) each.

The most common cases for which women are administratively detained from administrative governors' point of view :

The most common cases in which women were administratively detained were identified from the administrative governors' viewpoint, who expressed this in their responses to in-depth interview questions. It was observed that most of the cases were (ethical and behavioral cases, such as houses of prostitution, adultery, honor and then escape with a person for the purpose of marriage, theft cases and then participate in the incitement to murder).

### **Results on Question 3**

What is the role of the system of customs and traditions in governing the administrative detention of women?

**First:** From the point of view of the administrative governors:

The administrative detention of women is usually a form of protection against violence or potential harm to a woman. A woman may be threatened by male members of her family, such as her father, brother, uncle, or cousins. The governor resorted to the administrative detention of this woman for a period of time in order to save her life.

The customs and traditions such as the procedures of interventions by family and tribal mediation have an impact on the reaction of the governor, as he can communicate with the family of this woman or the family can communicate with him to end the problem and end the period of detention and release the woman who is administratively detained after the family's approval, specifically the male members of the family.

Often, the governor refuses to hand over the girl or woman to her relatives for fear of abuse. In some cases, such as escaping with the lover, or committing the crime of adultery and honor cases, these are cases where women are detained for a period of time to save her life.

There were stories of women, who were administratively detained and when once handed over to her family, were killed instantly.

**Second:** from the point of view of Detained Women:

Women in detention reported that the role of the system of customs and traditions in governing the administrative detention of women was good for them, as it turned out that many women preferred administrative detention rather than being handed over to their families and relatives, because many women "administrative detainees" have been threatened with death by their family.

Some women in detention reported that their husbands continued to use violence against them. In the past, these women had filed formal complaints against their husbands to the Family and Police Protection Center and when their husbands learned about this, they severely beat the wives, which caused them severe physical and psychological abuse, leading these women to escape from their house.

In the end, their husbands filed a complaint against these women, forcing the administrative governor to detain these women due to their absence from their house and in response to their husbands' complaints.



#### Results on Question 4

What are the social dimensions from the women detainees' point of view to the issue of women's administrative detention?

To answer the fourth question, the arithmetic averages and standard deviations were extracted to identify the social dimensions from the detainees' point of view to the issue of women's administrative detention.

The social dimensions' arithmetic averages from the women detainees' point of view for the issue of administrative detention of women, ranged between 3.63 and 1.43, where the dimensions obtained a total arithmetic average of (2.68), which is of the average level.

Statement (1) **"I feel it is injustice to be administratively detained"** has the highest arithmetic average of 3.63 and standard deviation 0.78, which is of the high level.

In the second place came statement (16), **"I feel that my presence as an administrative detainee will limit the opportunity to communicate and form social relations, including the opportunity to start a family and choose a husband"** with an arithmetic average of 3.57 and a standard deviation of 0.98 which is of the high level.

In the third place, came statement (15), **"I feel that my presence as an administrative detainee will limit me from entering the labor market or practicing any future profession"**, with an arithmetic average of 3.55 and a standard deviation 0.87, which is of the high level.

In the penultimate place, statement (19), **"I do not have hope any more to get out of the rehabilitation center"**, came with an average of 1.63 and a low level standard deviation 1.01.

In the last place, came statement (13), **"I have an idea about when to release me from prison"**, with an arithmetic average of 1.43 and a standard deviation of 0.96.

#### CONCLUSIONS

When looking at the phenomenon of women's administrative detention and the analysis of dimensions and causes, we see that there can be a significant link between them, in the sense that the most common issues that result in the administrative detention of women is the case of adultery and the case of begging.

By linking this result to the reasons mentioned by women in administrative detention, we see that women's economic empowerment is very weak and their sense of economic autonomy and that the easy way to get money is to practice prostitution or begging in the streets.

In addition to the violence practiced against women by family members, especially males, "father, brother, husband, etc.", in order to consecrate the toxic masculinity culture that enhances the man's power over the woman. In the light of living in a society that oppresses women and makes them victims of culture and social systems, as these women accept the continuation of physical and mental abuse and do not file a complaint until it is too late, and as a result run away from their home for fear of their life, so that their fate is imprisoned without anyone to care.

Therefore, it is important to raise awareness among women in societies about the need not to tolerate violence against them, while raising awareness among men about the negative effects and consequences of violence against women, not only for women but also for men, family and society in general.

One of the most prominent forms of harmful practices against women in the case of administrative detention is the abuse of the right of guardianship.

Where women in our society are subjected to the guardianship of the father and brother, and then in the case of marriage to be under the jurisdiction of her husband, and when the fate and life of this woman is linked to the consent of the guardian, either to leave the prison or stay administratively suspended for a lifetime, without taking into account the feelings of that woman, a great psychological harm is caused.

With regard to the social dimensions of the phenomenon of administrative detention of women and since she was in prison with criminal women there is the accompanying social stigmatization of the woman and her family for life.

This stigma limits the opportunity for women to form relationships and social interactions, such as friendship, love, or even think about marriage.

The administrative detention of women can only be resolved by working on two main axes in parallel (legislation and social order in support of women's rights). Legislative amendments are needed to ensure greater protection for women and enhance their dignity. In parallel, we must work to raise community awareness about women's right to life and their right to be an effective development partner for men.

Whereas respecting women, giving them a chance and empowering them will largely benefit the society.

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## **AUTHOR PROFILE**



**Huda Al Zoubi**, P.h.D student in sociology at University of Jordan, hold a master degree in gender studies, and bachelor degree in foreign languages.

For master thesis, it targeted women prisoners and examined the social causes of Jordanian women committing crimes.

For P.h.D thesis, it's about the issue of women under administrative detention in the reform and re-habitation centers in Jordan, and the role of cultural system in this issue by targeting Jordanian governor and women under administrative detention.

Has an experience in working in the field of humanitarian work within the community based organizations in Jordan, in project management and carrying out field studies and researches related to human rights issues in general and women's rights issues in particular.

